

Chairman Vap called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Lowell Johnson, Landis and Vap present and Commissioners Boyle and Rod Johnson excused at the beginning of the meeting.

#### GENERAL ADMINISTRATION

Notice was duly published May 25, 2004, on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held June 2, 2004, at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Wednesday, June 2, 2004 through Friday, June 4, 2004:

	Commission Hearing Room, Lincoln
1:30	Wednesday, June 2, 2004
9:00	Thursday, June 3, 2004
9:00	Friday, June 4, 2004

C-3096, In the Matter of Great Plains Communications, Inc.;  
C-3110 to Clarks Telecommunications Co.; Consolidated Telephone  
C-3122 Company; Consolidated Telco, Inc., and Consolidated  
Telcom, Inc.; Hamilton Telephone Company; Hartington  
Telecommunications Co.; Hershey Cooperative Telephone Co.;  
K & M Telephone Company; Nebraska Central Telephone  
Company; Northeast Nebraska Telephone Company; Soddtown  
Telephone Company; Stanton Telecom, Inc.; Three River  
Telco; Eastern Nebraska Telephone Company; Rock County  
Telephone Company, seeking suspension or modification of  
the Federal Communications Commission requirement to  
implement wireline-wireless number portability pursuant to  
47 U.S.C. Section 251(f)(2). Commissioner Vap chairing.

Commissioners Boyle and Rod Johnson entered the Commission Hearing Room.

#### COMMUNICATIONS DEPARTMENT

Cheryl Elton informed the Commission of the complaints received in the preceding month.

FC-1316 In the Matter of Nebraska Technology Operations Center,  
dba Kearney.net, Kearney, vs. Citizens/Frontier Com-  
munications, Kearney, alleging a billing error: Motion made by  
Commissioner Frank Landis, seconded by Commissioner Rod Johnson to  
enter an order dismissing the complaint. Motion passed with Commis-  
sioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry  
Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

FC-1318 In the Matter of All American Insurance Inc., Lincoln,  
vs. Alltel Communications, Little Rock, Arkansas, alleging  
a billing error: Angela Melton informed the Commission that the  
parties had reached an agreement and that the complaint would be  
dismissed in the near future.

C-2940 In the Matter of the Commission, on its own motion, seeking  
to determine whether the retail service quality provided by  
Alltel is adequate: Don Gray informed the Commission that Alltel's  
monthly service quality report for the month of April 2004, had been  
received.

C-3187 In the Matter of Qwest Corporation, Denver, Colorado,  
seeking approval of its Statement of Generally Available  
Terms and Conditions for interconnection unbundled network elements,  
ancillary services, and resale of telecommunications services with  
ComTech21, LLC, Wallingford, Connecticut: Motion made by Commissioner  
Rod Johnson, seconded by Commissioner Frank Landis to enter an order  
granting the application. Motion passed with Commissioners Anne  
Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting  
AYE.

C-3206 In the Matter of the Commission, on its own motion, seeking  
to administer the Nebraska Internet Enhancement Fund:  
Angela Melton informed the Commission that the the application packets  
were sent out. The pre-application period began on June 1, 2004.

C-3186 In the Matter of OrbitCom, Inc., Sioux Falls, South Dakota,  
seeking designation as an eligible telecommunications  
carrier that may receive federal and state universal service support:  
A hearing was scheduled for July 27, 2004, at 1:30 p.m. in the Commis-  
sion Hearing Room, Lincoln. Commission Rod Johnson will preside as  
Hearing Officer.

John Burvainis informed the Commission that the Federal  
Communications Commission is inviting comments on the National Asso-  
ciation of State Utility Consumer Advocates (NASUCA) petition for a  
declaratory ruling prohibiting wireline and wireless telecommunica-  
tions carriers from imposing monthly line-item charges, surcharges or  
other fees on customers' bills unless such charges have been expressly  
mandated by a regulatory agency. Commissioner Boyle expressed desire  
to comment.

John Burvainis informed the Commission that the staff had  
received complaints on the use of automatic-dialing and announcing  
devices in Omaha. Messages received referenced the Omaha Public Power  
District. Commissioner Boyle requested that staff gather further  
information and update the Commission.

UNIVERSAL SERVICE FUND

NUSF-32 In the Matter of the Commission, on its own motion, seeking to conduct an inquiry into the failure of various companies to comply with Commission Orders and, at its own discretion, impose administrative fines against the named defendants: Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle to dismiss Ionex Communications North, Incorporated from these proceedings. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

Jeff Pursley reported on Late-Filed Carrier Remittances. Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson to file a complaint against IDT America, Inc. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

NUSF-37.29 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Nebraska Public Service Commission, Complainant, vs. Public Communications Services, Respondent: Jeff Pursley reported on the request for waiver of late fees and administrative fines received from the respondent.

NUSF-37.22 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Nebraska Public Service Commission, Complainant, vs. NUI Telecom, Respondent: Jeff Pursley discussed the proposed stipulation of \$1,000 received from the respondent.

E911 DEPARTMENT

Angela Melton reported on a letter received from Alltel regarding the Request for Proposal related to the implementation of Phase II. Pursuant to requirements of the RFP, the letter will be posted on the website along with all other written questions received. The staff is currently reviewing Alltel's concerns and will draft a written response. A pre-proposal conference is scheduled for June 3, 2004, at 1:30 p.m. in the Conference Room, Department of Banking, 1200 N Street, Suite #310, Lincoln, which may answer some of Alltel's questions.

NATURAL GAS DEPARTMENT

NG-0020/ In the Matter of the Commission, on its own motion, seeking  
PI-80 to conduct a review related to a settlement agreement among the State of Nebraska, acting by and through the Governor's Policy Research Office; the Nebraska Public Service Commission; and Kinder Morgan, Inc., a Kansas corporation: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson to enter an order approving verification of a settlement agreement. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT (Cont.)

The Commission scheduled a workshop for 10:00 a.m. on June 9, 2004, at Northern Natural Gas, 1111 South 103rd Street, Omaha. The workshop will include a tour and presentation on general operations.

Laura Demman provided a report on the number and nature of natural gas consumer inquiries and complaints received during the previous month.

GRAIN WAREHOUSE DEPARTMENT

GW-1883 In the Matter of Salem Grain Co., Inc., Salem: An order was entered approving, without objection, a request for measure-up on July 31, 2004.

GW-2127 In the Matter of The Scoular Company, Omaha, seeking a \$25,000.00 deductible on its stock insurance: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to grant the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

Schedule In the Matter of fixing reasonable storage rates and  
A Rates charges for public grain warehouses: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to approve Schedule A Rates. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

Schedule In the Matter of fixing reasonable storage rates and  
E Rates charges for public grain warehouses: Motion made by Commissioner Lowell Johnson, seconded by Commissioner Anne Boyle to approve Schedule E Rates. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT

M-14182 In the Matter of Steve R. Nash, dba Capital Home Improvements, Lincoln, seeking authority as a common carrier of household goods by truck between points in Lincoln and between points in Lincoln, on the one hand, and, on the other hand, points within a 100-mile radius of Lincoln: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle to dismiss the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting AYE.

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

MR-1009      In the Matter of the Commission, on its own motion, seeking  
PI-70          to initiate an investigation on range uniformity in the  
                Official Intracity Household Goods Tariff 22, and to  
develop procedures for efficiently processing household goods mover  
tariff amendments: Motion made by Commissioner Frank Landis, seconded  
by Commissioner Lowell Johnson to grant the application. Commissioner  
Boyle moved to amend the motion to lower the increase to 6%. The  
motion died for lack of a second. Commissioner Boyle asked that a  
dissenting opinion be added to the order. Motion passed with Commis-  
sioners Lowell Johnson, Rod Johnson, Frank Landis, Jerry Vap voting  
AYE and Commissioner Anne Boyle voting NAY.

MR-930      In the Matter of Movers and Warehouse Division, Nebraska  
                Motor Carriers Association, Lincoln, seeking authority to  
establish a fuel surcharge in Nebraska Official Household Goods Tariff  
7-F: The fuel surcharge was decreased to 22 cents per mile and the  
taxi surcharge retained at 50 cents per trip.

GENERAL ADMINISTRATION

                Motion made by Commissioner Lowell Johnson, seconded by  
Commissioner Anne Boyle to approve the following Commission invoices.  
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod  
Johnson, Frank Landis, Jerry Vap voting AYE.

Department of Corrections	\$	875.00
ASAP Software		589.98
Executive Travel		521.90
Kelly Services		1,225.35
Larry Thompson		9,255.00
Anne Boyle		898.18
Anne Boyle		270.00

                Upon agreement of all Commissioners, authorization was  
granted for Commissioners to attend the National Association of  
Regulatory Utility Commissioners Summer Conference to be held in Salt  
Lake City, Utah, from July 10-14, 2004.

                Upon agreement of all Commissioners present, Commission  
meeting dates for the third quarter of 2004 were scheduled as follows:

July 7 (Wednesday following Independence Day), 20 and 27  
August 3, 10, 17, 24 and 31  
September 8 (Wednesday following Labor Day), 21 and 28  
No meetings the week of July 13 & September 14

The meeting adjourned at 10:40 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on June 8, 2004, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on June 7, 2004.

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Chairman

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Executive Director